

2014-C-0784

COURT OF APPEAL, FOURTH CIRCUIT

STATE OF LOUISIANA

DANIEL G. ABEL, INDIVIDUALLY AND AS REPRESENTATIVE
PETITIONER

VERSUS

DOUGLAS K. HANDSHOE, ET AL.

IN RE: JACK E. TRUITT

APPLYING FOR: SUPERVISORY WRIT

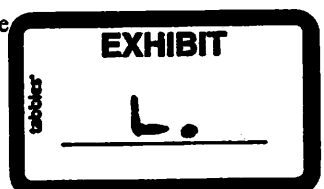
DIRECTED TO: HONORABLE PIPER D. GRIFFIN
CIVIL DISTRICT COURT, ORLEANS PARISH
DIVISION "I-14", 2013-05029

WRIT DENIED

Defendant, Jack E. Truitt ("Truitt"), seeks review of the trial court's June 27, 2014 judgment, denying his La. C.C.P. art. 971 special motion to strike.¹ After a thorough review of the record, we find that the trial court made a proper determination under article 971 that the alleged statements did not concern a public issue. We do not find, as asserted by Truitt, that the trial court erroneously denied the special motion to strike solely on the basis that plaintiff was not a public figure. Thus, we deny the writ on this issue.

Truitt also seeks review of the trial court's July 17, 2014 judgment, denying his re-urged exception of vagueness and/or motion to dismiss, motion to dismiss for failure to furnish bond, and motion for new trial as to the prior denial of his exception of improper venue. On the record before us, we find no error in these rulings.

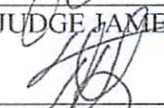
¹The June 27, 2014 judgment also denied the motion to strike filed by defendant Anne Marie Vandenweghe Boudreaux. That ruling is not before us.

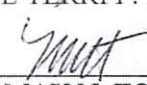


For the foregoing reasons, this writ application is denied.

New Orleans, Louisiana this 22nd day of October, 2014.


CHIEF JUDGE JAMES F. MCKAY III


JUDGE TERRI F. LOVE


JUDGE MAX N. TOBIAS, JR.

OCT 22 2014